

REMARKS

The above amendments and following remarks are submitted in response to the official action of the Examiner mailed May 27, 2005. Having addressed all objections and grounds of rejection, - claims 1-25, being all the pending claims, are now deemed in condition for allowance. Entry of these amendments and reconsideration to that end is respectfully requested.

The Examiner has objected to claim 16 indicating that the use of "a first predetermined date" and "a second further time" render "the claim internally inconsistent". Applicant disagrees. However, in the interest of furthering the prosecution of the subject application, claim 16 has been amended to more explicitly indicate the intended difference between the "predetermined time" at which the claimed report is generated and the "future time" at which the claimed report is delivered. It is assumed that these amendments will help establish the distinction between these two points in time.

Claims 1, 6, 11, 12, and 16 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,721,903, issued to Anand et al (hereinafter referred to as "Anand"). This ground of rejection is respectfully traversed for failure of the rejection to show that all claimed elements are met by Anand as required by MPEP 2131.

With regard to claim 1, for example, it requires "a publicly

accessible digital communications network" to couple the claimed "user terminal" to the claimed "data base management system". This network is not found in Anand. In making his rejection, the Examiner cites the coupling between elements 30 and 32 of Fig. 1, which says nothing of a network, much less anything of the claimed network. The Examiner also cites column 6, lines 5-11, which states:

Client and server computers 30 and 32 are preferably coupled asynchronously for report requests; all other requests are satisfied synchronously. Communication between client and server computers 30 and 32 is preferably through transmission protocol/Internet protocol (TCP/IP), although other transmission protocols are also envisioned by the present invention. (Emphasis added)

This citation does not say that client and server computers 30 and 32 are coupled via the Internet as implied by the Examiner. It simply says that TCP/IP protocol is preferably though not necessarily utilized. Far more important is the statement all other requests are satisfied synchronously, which specifically precludes the claimed "publicly accessible digital communications network". As explained at great length by Applicant in his specification, a "publicly accessible digital communications network", in general and the Internet in particular, such synchronous communication would expose the entire network to "hangups" by a given user. Therefore, Anand cannot possibly have the claimed network.

Furthermore, claim 1 is limited by "wherein said software controlled server electronically delivers said report to each of said plurality of user terminals in response to said corresponding different one of said plurality of log-on service requests". This relationship is not found in Anand. In making his rejection, the Examiner cites column 15, lines 34-39, which states:

When a user logs into system 10, client subsystem 12 issues a request to DAI subsystem 14 to return all data for that user in the return area. Return area manager 70 retrieves the information from the return area on server computer 32 and sends it back to client computer 30 through DAI subsystem 14. (Emphasis added)

As is explicitly stated in Anand, the data is returned in response to "client subsystem 12 issues a request to DAI....". The data, whatever it is, is transferred in response to a request for transfer and not in response to "log-on" as specifically required by claim 1. That Anand, column 16, lines 9-14, opens folders is not relevant to the claimed invention. The rejection of claim 1, and all claims depending therefrom, is respectfully traversed.

These distinctions are even more apparent in considering claim 6. Element b of claim 6 directly claims the "publicly accessible digital communications network". As explained above, this element is not found in Anand, even though Anand suggests the use of TCP/IP as the preferred protocol.

Even more apparently absent from claim 6 is the limitation which "delivers said report via said publicly accessible digital

communications network in response to receipt of said log-on service request and not in response to a request for said report from said user terminal". As explained above, Anand specifically states that the data is transferred when "client subsystem 12 issues a request". Clearly, Anand does not meet the limitations of claim 6. Therefore, the rejection of claim 6, and all claims depending therefrom, is respectfully traversed.

Claim 11 is an independent method claim having five basic steps. Anand cannot meet step five which requires "transmitting said display page from said data base management system to said user terminal in response to receipt of said log-on service request." As explained above, Anand transfers data only in response to a user request for the transfer. The rejection of claim 11, and all claims depending therefrom, is respectfully traversed.

Claim 16 is an independent apparatus claim having five means-plus-function limitations. Anand cannot meet the fifth limitation which requires "delivering means responsively coupled to said generating means for delivering said report in response to receipt of said log-on service request". The rejection of claim 16, and all claims depending therefrom, is respectfully traversed.

Claim 12 depends from claim 11 and is further limiting of the software architecture of the user terminal. Anand cannot meet the limitations of claim 11 from which claim 12 depends. Therefore,

Anand cannot meet the further limitations of claim 12. The rejection of claim 12 is respectfully traversed.

Claims 21-25 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Anand in view of U.S. Patent No. 5,892,909, issued to Grasso et al (hereinafter referred to as "Grasso"). This ground of rejection is respectfully traversed for failure of the Examiner to present as *prima facie* case of obviousness as required by MPEP 2143.

In addition to many of the issues discussed above, claim 21 is an independent apparatus claim having four elements wherein the fourth limitation requires "a report generation facility located within said legacy data base management system which generates a report and transfers it to said plurality of user terminals via said publicly accessible digital data communication network". The Examiner admits that this limitation is not found in Anand, because Anand appears to deliver report to a single user.

Therefore, the Examiner alleges the combination with Grasso. The Examiner cites column 16, lines 1-4, which states:

(d) Identify the Recipients

The user selects the desired recipients for the distribution from the system directory list (address book). This includes individuals, groups and/or roles.
(Emphasis added)

According to Grasso, the user selects the distribution. In accordance with Applicant's invention, the selection is by the "report generation facility". The alleged combination with Grasso

does not provide the missing limitation.

Grasso is further not appropriate to the alleged combination because it is specifically limited to private "Intranet" applications. The title, for example, states "Intranet-Based System.....". The abstract begins "An Intranet-based system.....". The summary of the invention begins (i.e., column 4, line 29) "An Intranet-based system.....". The teaching of Grasso is simply not suited to distribution of sensitive materials over the claimed publicly accessible network as is critical to Applicant's invention.

The rejection of claim 21, and all claims depending therefrom, is respectfully traversed.

Claim 22 depends from claim 21 and is further limiting of the log-on process. The alleged combination cannot meet the limitations of claim 21 from which claim 22 depends. Therefore, Anand cannot meet the further limitations of claim 22. The rejection of claim 22 is respectfully traversed.

Claim 23 depends from claim 22 and is further limited by an administration module. The alleged combination cannot meet the limitations of claim 22 from which claim 23 depends. Therefore, Anand cannot meet the further limitations of claim 23. The rejection of claim 23 is respectfully traversed.

Claim 24 depends from claim 23 and is further limiting of the log-on process. The alleged combination cannot meet the

limitations of claim 23 from which claim 24 depends. Therefore, Anand cannot meet the further limitations of claim 24. The rejection of claim 24 is respectfully traversed.

Claim 25 depends from claim 24 and is further limiting of the publicly accessible digital communications network. The alleged combination cannot meet the limitations of claim 24 from which claim 25 depends. Therefore, Anand cannot meet the further limitations of claim 25. The rejection of claim 25 is respectfully traversed.

Claims 2-4, 7-10, 13-14, and 17-18 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Anand in view of Grasso. This ground of rejection is respectfully traversed for failure of the Examiner to present a *prima facie* case of obviousness as specified by MPEP 2143.

Claims 2, 7, and 13 depend from claims 1, 6, and 12, respectively. Furthermore, claim 2 requires that each of the multiple user terminals has a different log-on service request giving each of the multiple user terminals access to different portions of the claimed data base. There is no showing of this feature within the alleged combination. The rejection of claims 2, 7 and 13 is respectfully traversed.

Claims 3, 9, 14, and 17 depend from claims 2, 8, 13, and 16, respectively, and further limit the claimed publicly accessible digital communications network. As explained above, the alleged

combination has no such network. Anand requires "synchronous" transfers and Grasso is limited to Intranet systems (see title, for example). Therefore, the alleged combination cannot have these further limitations to the claimed network. The rejection of claims 3, 9, 14, and 17 is respectfully traversed.

Claims 4, 8, and 18 depend from claims 3, 7, and 17, respectively, and are further limited by a "repository" or storing means for storing the automatically generated report. The alleged combination does not have this limitation. The rejection of claims 4, 8, and 18 is respectfully traversed.

Claim 10 depends from claim 9 and is further limiting of the software architecture of the user terminal. The alleged combination cannot meet the limitations of claim 9 from which claim 10 depends. Therefore, Anand cannot meet the further limitations of claim 10. The rejection of claim 10 is respectfully traversed.

Claims 5, 15, and 19-20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Anand in view of Grasso and further in view of "Unisys CSG MarketPlace-The Mapper System" (hereinafter referred to as "Unisys"). This ground of rejection is respectfully traversed for failure of the Examiner to present a *prima facie* case of obviousness.

In addition to the issues raised above, the alleged combination lacks a reasonable likelihood of success. Applicant's specification at page 3, lines 11-12, states:

The Classic MAPPER system, which runs on proprietary hardware also available from Unisys Corporation.....

Classic MAPPER simply could not be executed by the hardware of either Anand or Grasso. The references of the alleged combination are clearly incompatible. The rejection of claims 5, 15, and 18-20 is respectfully traversed.

Claim 20 depends from claim 19 and is further limiting of the software architecture of the user terminal. The alleged combination cannot meet the limitations of claim 19 from which claim 20 depends. Therefore, Anand cannot meet the further limitations of claim 20. The rejection of claim 20 is respectfully traversed.

Having thus responded to each objection and ground of rejection, Applicant respectfully requests entry of this amendment and allowance of claims 1-25, being the only pending claims.

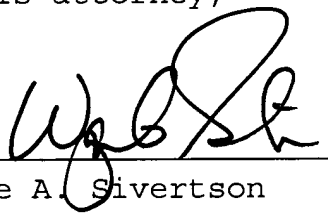
Please charge any deficiencies or credit any overpayment to
Deposit Account No. 14-0620.

Respectfully submitted,

Seongho Bae

By his attorney,

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Wayne A. Sivertson
Reg. No. 25,645
Suite 401
Broadway Place East
3433 Broadway Street N.E.
Minneapolis, Minnesota
55413
(612) 331-1464